

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

NOTICE OF MOTION NO. 4405 OF 2006
IN
APPEAL (LDG.) NO. 967 OF 2006

Chandrakant Kashinath Surve. ... Appellant.

V/s.

M/s.Gold Mohur Mills (UC) NTC
Ltd. and another. ... Respondent.

Ms.Ketaki Rege for the appellant.

Amol Desai with A.K.Jalisatgi for the respondents.

**CORAM : DR.S.RADHAKRISHNAN
and V.C.DAGA, JJ.**

DATED : 9th April 2007.

P.C.:

. Heard learned counsel for the appellant
and learned counsel for the respondents.

2. By this notice of motion, appellant seeks
to condone delay of 97 days in filing appeal.

3. Perused notice of motion and affidavit in
support thereof. For the reasons stated therein
sufficient cause is made out for condoning delay in
filing appeal. There is no case of inaction,
negligence or want of bonafide on the part of the
appellant. Hence notice of motion is made absolute
in terms of prayer clause (a).

(V.C.DAGA J.)

(DR.S.RADHAKRISHNAN, J.)